



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, बुधवार, ३ जून, १९७०/१३ ज्येष्ठ, १८९२

GOVERNMENT OF HIMACHAL PRADESH

VIDHAN SABHA SECRETARIAT NOTIFICATION

Simla-4, the 2nd April, 1970

No. 1-14/70-VS.—In pursuance of Rule 135 of the Rules of Procedure and Conduct of Business of the Himachal Pradesh Legislative Assembly, 1964, the Himachal Pradesh University Bill, 1970 (Bill No. 9 of 1970) as introduced in the Himachal Pradesh Legislative Assembly on

४१४ असाधारण राजपत्र, हिमाचल प्रदेश, ३ जून, १९७०/१३ ज्येष्ठ, १८९२

the 2nd April, 1970 is hereby published in the Himachal Pradesh Government Gazette.

D. B. LAL,
Secretary.

Bill No. 9 of 1970.

THE HIMACHAL PRADESH UNIVERSITY BILL, 1970

(AS INTRODUCED IN THE LEGISLATIVE ASSEMBLY)

A BILL

to establish and incorporate a University in Himachal Pradesh.

BE it enacted by the Legislative Assembly of Himachal Pradesh in the Twenty-first Year of the Republic of India as follows:—

1. (1) This Act may be called the Himachal Pradesh University Act, 1970.

(2) It shall come into force on such date as the State Government may, by notification in the 'Rajpatra, Himachal Pradesh', appoint.

2. In this Act, unless the context requires otherwise,—

- (1) "Academic Council" means the Academic Council of the University;
- (2) "Agricultural Complex" means the Agricultural Complex constituted under section 24 of this Act;
- (3) "Autonomous College" means the College, department or unit, as the case may be, declared as an Autonomous College by the University in accordance with the provisions of section 31;
- (4) "College" means an institution maintained or admitted to its privileges by the University;
- (5) "Court" means the Court of the University;
- (6) "Executive Council" means the Executive Council of the University;
- (7) "Faculty" means a Faculty consisting of an allied group of subjects constituted by the Executive Council;
- (8) "Hall" or "Hostel" means a unit of residence for students of the University, provided, maintained or recognised by it;
- (9) "Management" means the Managing Committee or the Managing Board by whatever name it may be called managing a privately-run college affiliated to the University;
- (10) "Prescribed" means prescribed by the Statutes, Ordinances or Regulations made under this Act;
- (11) "Principal" means the head of a College, by whatever designation he may be described, and includes, when there is no Principal, the person for the time being duly appointed to act as Principal, and in the absence of the Principal or the acting Principal, a Vice-Principal appointed as such;
- (12) "Registered Graduates" mean graduates registered under the provisions of the Statutes;
- (13) "State Government" means the Lieutenant Governor of Himachal Pradesh;
- (14) "Statutes", "Ordinances" and "Regulations", mean respectively the Statutes, Ordinances and Regulations of the University made under this Act and for the time being in force;
- (15) "Teachers" mean teachers of the University who have been appointed or recognised by the Academic Council as Professors, Readers and Lecturers and shall include Professors, Readers and Lecturers and Officers appointed to man research and extension education;

Short title
and com-
mencement.

Definitions.

(16) "University" means the Himachal Pradesh University constituted under sub-section (1) of section 3.

Establishment and incorporation of the University.

3. (1) There shall be constituted in the Union territory of Himachal Pradesh a University by the name of "Himachal Pradesh University".

(2) The first Chancellor, the first Vice-Chancellor of the University and the first Members of the Court, the Executive Council, the Academic Council and the Board of Management, and all persons who may hereafter become such officers or members so long as they continue to hold such office or membership are hereby constituted a body corporate by the name of "Himachal Pradesh University", with headquarters at Simla.

(3) The University shall have perpetual succession and a common seal and shall sue or be sued by the said name.

University open to all classes, castes and creeds.

4. The University shall be open to all persons of either sex and of whatever race, creed, caste or class, and it shall not be lawful for the University to adopt or impose on any person any test whatsoever of religious belief or profession in order to entitle him to be admitted thereto, as a teacher or student, or to hold any office therein, or to graduate thereat, or to enjoy or exercise any privilege thereof, except in respect of any particular benefaction accepted by the University, where such test is made a condition thereof by any testamentary or other instrument creating such benefaction:

Provided that nothing in this section shall be deemed to prevent religious instruction being given in the manner prescribed in the Ordinances to those who have consented to receive it.

Objects.

5. The objects of the University shall be to disseminate and advance knowledge, wisdom and understanding by teaching and research and by the example and influence of its corporate life and towards this end the University shall—

- (i) advance learning and knowledge by teaching and research and extension so as to enable a student to obtain advantages of University education;
- (ii) provide the right kind of leadership in all walks of life;
- (iii) promote in the students and teachers an awareness and understanding of the social needs of the country and prepare them for fulfilling such needs;
- (iv) take appropriate measures for promoting interdisciplinary studies in the University;
- (v) foster the composite culture of India and establish such departments or institutions as may be required for the study and development of the languages, arts and culture of India;
- (vi) make such provision for integrated courses in Humanities, Sciences and Technology in the educational programmes of the University;
- (vii) make provision for the education of the rural people of Himachal Pradesh in different branches of study, particularly agriculture, horticulture, rural industry and business, and other allied subjects.

Powers.

6. The University shall have the following powers, namely:—

- (1) to provide for instruction including the method of correspondence courses in such branches of learning as the University may, from time to time, determine, and to make provision for research and for the advancement and dissemination of knowledge and for extension education;
- (2) to organise and to undertake extra-mural teaching and extension services;

- (3) to admit to the privileges of the University colleges situated within the area comprising Himachal Pradesh and to withdraw any such privilege and to prescribe conditions therefor;
- (4) to hold examinations and grant diplomas and certificates to, and confer degrees and other academic distinctions on, persons and to withdraw any such diplomas, certificates, degrees or other academic distinctions for good and sufficient cause;
- (5) to confer honorary degrees or other academic distinctions;
- (6) to create such teaching, administrative and other posts as the University may deem necessary, from time to time, and to make appointments thereto;
- (7) to institute and award Fellowships, Scholarships, Studentships, Exhibitions and Prizes;
- (8) to establish and maintain Colleges, Halls and Hostels, to recognise, guide, supervise and control Halls and Hostels not maintained by the University and other accommodation for the residence of the students, and to withdraw any such recognition;
- (9) to regulate and enforce discipline among students and employees of the University and to take such disciplinary measures as may be deemed necessary;
- (10) to make arrangements for promoting health and general welfare of the students and the employees of the University and of the colleges;
- (11) to determine and provide for examinations for admission into the University;
- (12) to recognise for any purpose, either in whole or in part, any institution or members or students thereof on such terms and conditions as may, from time to time, be prescribed and to withdraw such recognition;
- (13) to co-operate with any other University, authority or association or any public or private body having in view the promotion of purposes and objects similar to those of the University for such purposes as may be agreed upon, on such terms and conditions as may, from time to time, be prescribed;
- (14) to enter into any agreement for the incorporation in the University of any institution and for taking over its rights, properties and liabilities and for any other purpose not repugnant to this Act;
- (15) to demand and receive payment of such fees and other charges as may be prescribed from time to time;
- (16) to receive donations and grants and to acquire, hold, manage and dispose of any property, movable or immovable, including trust or endowed property within or outside Himachal Pradesh, for the purposes and objects of the University, and to invest funds in such manner as the University thinks fit;
- (17) to make provision for research and advisory services and for that purpose to enter into such arrangements with other institutions or bodies as the University may deem necessary;
- (18) to provide for the printing, reproduction and publication of research and other work, including text books, which may be issued for the University;
- (19) to borrow, with the approval of the State Government, on the security of the University property, money for the purposes of the University;
- (20) to accord recognition to institutions and examinations for admission into the University;

(21) to do all such things as may be necessary, incidental or conducive to the attainment of all or any of the objects of the University.

Jurisdiction of the University.

7. (1) Save as otherwise provided by or under this Act, the powers conferred on the University shall be exercisable in the area constituting Himachal Pradesh.

(2) Notwithstanding anything contained in any other law for the time being in force, no educational institution situated within the territorial limits of the University shall be admitted to any privilege of any other University, incorporated by law in India, and any such privilege granted by any such other University to any such educational institution prior to the commencement of this Act, shall unless otherwise directed by the State Government be deemed to be withdrawn on the commencement of this Act, and any such institution shall be deemed to be admitted to the privileges of the Himachal Pradesh University.

(3) Where any institution or body established outside Himachal Pradesh seeks recognition from the University, then the powers and jurisdiction of the University shall extend to such institution or body subject to the laws in force in the State within which, and the rules and regulations of the University within whose jurisdiction, the said institution or body is situated.

Transfer of assets and liabilities of employees of certain institutions to the University.

8. On the commencement of this Act, the assets and liabilities of the Panjab University Regional Centre for Post-Graduate Studies, Simla and the Panjab University Evening College, Simla shall stand transferred to and shall vest in the University, in accordance with the terms and conditions mutually agreed to between the University and the Panjab University, Chandigarh. All officers and other employees of these institutions holding office as such immediately before the commencement of this Act shall, on such commencement, become the officers and other employees of the University:

Provided that—

- (1) such officers and employees of the above mentioned institutions shall be allowed to exercise an option whether or not they wish their services to be taken over by the University;
- (2) the existing rights and service conditions of such employees who opt for service in the University shall be protected;
- (3) any service rendered by any such officer or other employee before such transfer of his service to the University shall be deemed to be service rendered in connection with the administration of the University, on the condition that their leave, pension and provident fund and gratuity contribution in respect of the service rendered by them to the Panjab University, Chandigarh, shall be re-imbursed to the University by the Panjab University, Chandigarh:

Provided further that in the event of any dispute or difficulty in the matter of implementation of the provisions of this section the matter shall be referred to the Central Government, whose decision shall be final.

Visitation

9. (1) The Chancellor shall have the right to cause an inspection to be made by such person or persons as he may direct, of the University or any institution maintained by the University, or of a College, including the buildings, laboratories, record and equipment thereof and also of the examinations, teaching and other work conducted or done by it, or to cause an inquiry to be made in a like manner in respect of any matter connected with the administration and finances of the University, or the institutions maintained by it.

(2) The Chancellor shall, in every case, give notice of his intention to cause an inspection or an inquiry to be made, to the University in the case of the University or an institution maintained by it, or the Management in the case of a College, and the University or the Management of the College, as the case may be, shall be entitled to appoint a representative, who shall have the right to be present and be heard at such inspection or inquiry.

(3) In case of inspection or inquiry relating to the University or an institution maintained by it, the Chancellor may communicate to the Vice-Chancellor the result of such inspection or inquiry together with his views thereon and advice regarding the action to be taken, and the Vice-Chancellor shall place the same before the Executive Council.

(4) In case of inspection or inquiry relating to a college or institution, the Chancellor may communicate to the Management of such College or institution the result of such inspection or inquiry together with his views thereon and advice regarding the action to be taken.

(5) The Vice-Chancellor or the Management, as the case may be, shall communicate to the Chancellor the action, if any taken or proposed to be taken upon the result of such inspection or inquiry.

(6) Where the Executive Council or the Management of the College or institution, as the case may be, does not take action to the satisfaction of the Chancellor, the Chancellor may, after considering any explanation furnished or representation made by the Executive Council or the Management of the College or institution, as the case may be, issue such direction as he may deem fit and the University or the Management of the College or institution shall comply with such directions.

10. The following shall be the officers of the University:—

Officers of the University.

- (i) the Chancellor;
- (ii) the Vice-Chancellor;
- (iii) the Dean of Agricultural Complex;
- (iv) the Deans of Faculties;
- (v) the Registrar;
- (vi) the Finance Officer; and
- (vii) such other persons in the service of the University as may be declared by the Statutes to be the officers of the University.

11. (1) The Lieutenant Governor of Himachal Pradesh shall be the Chancellor of the University.

The Chancellor.

(2) The Chancellor shall, by virtue of his office, be the Head of the University, and the President of the Court and shall, when present, preside over the meetings of Court and at any convocation of the University.

(3) The Chancellor shall have such powers as may be conferred on him by or under this Act.

12. There shall be a Vice-Chancellor appointed in the manner prescribed by the Statutes who shall be the principal executive and academic officer of the University and shall be *ex-officio* Chairman of the Executive Council, the Academic Council, the Finance Committee and the Board of Management and shall in the absence of the Chancellor preside at any convocation of the University for conferring degrees and also at any meeting of the Court.

The Vice-Chancellor.

13. There shall be a Dean of the Agricultural Complex who shall be appointed in such manner and who shall exercise such powers and perform such duties as may be prescribed by the Statutes.

Dean of Agricultural Complex.

- Dean of Faculty. 14. There shall be a Dean for each Faculty who shall be appointed in such manner and exercise such powers and perform such duties as may be prescribed by the Statutes.
- Registrar. 15. There shall be a Registrar who shall be the Secretary of the Court, the Executive Council and the Academic Council and who shall be appointed in such manner and exercise such powers and perform such duties as may be prescribed by the Statutes.
- Finance Officer. 16. There shall be a Finance Officer who shall be the Secretary of the Finance Committee and who shall be appointed in such manner and exercise such powers and perform such duties, as may be prescribed by the Statutes.
- Powers and Duties of other Officers. 17. The appointment, conditions of service and powers, functions and duties of officers of the University other than the Chancellor shall be such as may be prescribed by the Statutes and the Ordinances.
- Authorities of the University. 18. The following shall be the authorities of the University:—
 (1) the Court;
 (2) the Executive Council;
 (3) the Academic Council;
 (4) the Board of Management;
 (5) the Faculties;
 (6) the Finance Committee; and
 (7) such other Boards and Committees as may be declared by the Statutes to be the authorities of the University.
- The Court. 19. There shall be a Court and its constitution and the term of office of its members shall be, as prescribed by the Statutes.
- Powers and functions of the Court. 20. Subject to the provisions of this Act, the Court shall have the following powers and functions, namely:—
 (1) to review from time to time the broad policies and programmes of the University and to suggest measures for the improvement and development of such policies and programmes;
 (2) to consider and pass resolutions on the annual report and the annual accounts together with the audit report of the University; and
 (3) to exercise all the powers of the University not otherwise provided for by this Act or the Statutes.
- Executive Council. 21. (1) The Executive Council shall be the executive body of the University and its constitution and the term of office of its members other than *ex-officio* members shall be prescribed by the Statutes.
 (2) It shall be in charge of the general management and administration (including the revenue and property) of the University.
 (3) Subject to the provisions contained in section 26, the Executive Council may delegate such of its powers and functions in respect of the Agricultural Complex to the Board of Management as it may deem fit.
- Academic Council. 22. (1) The Academic Council shall be the academic body of the University.
 (2) The constitution of the Academic Council and the term of office of its members shall be as laid down in the Statutes.
 (3) The Academic Council shall, subject to the provisions of this Act, the Statutes and the Ordinances, have the control and general regulation, and be responsible for the maintenance of standards and methods of instruction, evaluation, education, examination and research in the University, prescribe courses of study and shall exercise such other powers and perform such other duties as may be conferred or imposed upon it by the Statutes.

(4) The Academic Council shall have the right to advise the Executive Council on all academic matters.

23. (1) The University shall constitute such Faculties and each Faculty shall have such departments of study, as may be prescribed.

Faculties.

(2) The constitution and powers of Faculties shall be, as prescribed by the Statutes.

24. There shall be an Agricultural Complex and it shall consist of—

Agricultural Complex.

(a) the Himachal Pradesh Agricultural College, Solan;

(b) the Agricultural College at Palampur pertaining to the Panjab Agricultural University, Ludhiana;

(c) the Research Stations, Extension Centres, Extension Education Units and any other property of the Panjab Agricultural University, Ludhiana, located in Himachal Pradesh;

(d) the Research Stations and Extension Education Units which may be transferred, from time to time, by the State Government to the University; and

(e) any other college or institution that may be declared hereafter by the Statutes as part of the Agricultural Complex.

25. There shall be a Board of Management for the Agricultural Complex and its constitution and term of its members other than *ex-officio* members shall be prescribed by the Statutes.

Board of Management.

26. The Board of Management shall exercise such powers and functions as may be prescribed by the Statutes.

Powers of the Board of Management.

27. The Board of Management shall be responsible for programmes of agricultural education, agricultural research and extension education in Himachal Pradesh, shall carry out its functions in this behalf, and have functional and financial autonomy, as may be prescribed by the Statutes to enable the Agricultural Complex to develop on the integrated pattern of research, education and extension.

Agricultural Education, Agricultural Research and Extension Education Programme.

28. There shall be a Finance Committee and its constitution, the term of office of its members other than *ex-officio* members and its powers and functions shall be as laid down in the Statutes.

Finance Committee.

29. (1) The accounts of the University shall once at least in every year and at intervals of not more than fifteen months, be audited by the Comptroller and Auditor General of India, or any person authorised by him in this behalf.

Accounts.

(2) The accounts, when audited shall be published in the 'Rajpatra, Himachal Pradesh', and a copy of the accounts together with the audit report shall be submitted by the Registrar to the Chancellor.

30. The Executive Council may, on the recommendation of the Academic Council, provide for instruction to be imparted through correspondence courses for various examinations in subjects and courses, as laid down in the Ordinances and admit students to these examinations and award degrees, diplomas, certificates and other distinctions in accordance with the provisions laid down in the Statutes and Ordinances.

Correspondence Courses.

31. (1) The University may grant, in the manner prescribed in the Statutes, to a college, department or unit, which satisfies the conditions laid down in the Statutes in this behalf, the privilege of varying for the students receiving instruction in such college, department or unit, the courses of study

Autonomous Colleges.

prescribed by the University and holding examination in the course so varied and such college, department or unit shall be declared in the manner prescribed in the Statutes to be an Autonomous college.

(2) The extent to which the courses may be varied and the manner of holding examinations conducted by such college or department as the case may be, shall be determined in each case by the University.

Conditions
for affilia-
tion.

32. The conditions of affiliation of a college shall be as may be prescribed.

Examina-
tions and
admissions.

33. Students shall be eligible for admission to the various courses of study instituted by the University and shall be admitted to examinations for various degrees, diplomas, certificates and other distinctions as prescribed.

Selection
Committee.

34. (1) There shall be Selection Committees for the appointment of teachers and other employees of the University.

(2) The constitution, powers and functions of the Selection Committees and the procedures to be followed in making appointments shall be such as may be prescribed by the Statutes.

Conditions
of service.

35. (1) Subject to the provisions of this Act, the Statutes and Ordinances, every salaried officer or teacher shall be appointed under a written contract which shall be lodged with the University and a copy thereof shall be furnished to the person concerned.

(2) Any dispute arising out of a contract between the University and any of its officers or teachers shall, at the request of the officer or teacher concerned or at the instance of the University, be referred to a Tribunal of Arbitration consisting of one member appointed by the Executive Council, one member nominated by the officer or teacher concerned and an umpire appointed by the Chancellor, and the decision of the Tribunal shall be final.

Pension,
insurance
and provi-
dent fund.

36. (1) The University shall constitute, for the benefit of its officers, teachers, clerical staff and other employees, in such manner and subject to such conditions as may be prescribed by the Statutes, such pension, insurance and provident fund, as it may deem fit.

(2) Where any such pension, insurance or provident fund has been so constituted or where any such pension, insurance or provident fund has been constituted by a College under rules which have been approved by the State Government, the State Government may declare that the provisions of the Provident Fund Act, 1925 shall apply to such fund as if it were a Government Provident Fund.

19 of 1925

Annual
report.

37. (1) The annual report of the University shall be prepared under the direction of the Executive Council and shall be submitted to the Court on or before such date as may be prescribed by the Statutes and shall be considered by the Court at its annual meeting.

(2) The Court may communicate its comments thereon to the Executive Council.

Statutes.

38. Subject to the provisions of the Act, the Statutes may provide for all or any or the following matters, namely:—

(a) the constitution, powers and duties of the Court, the Executive Council, the Academic Council, the Board of Management and other authorities of the University and such other bodies as may be deemed necessary to constitute from time to time;

(b) the election and continuance in office of the members of the said bodies, including the continuance in office of the first members, and the filling of vacancies of members, and all other matters relative

to those bodies for which it may be necessary or desirable to provide;

- (c) the appointment, powers and duties of the officers of the University;
- (d) the constitution of a pension or provident fund and the establishment of an insurance scheme for the benefit of the officers, teachers and other employees of the University;
- (e) the conferment of honorary degrees and other distinctions;
- (f) the withdrawal of Degrees, Diplomas, Certificates and other academic distinctions;
- (g) the establishment and abolition of Faculties, Departments, Halls, Hostels, Colleges and Institutions;
- (h) the conditions under which colleges and other institutions may be admitted to the privileges of the University and the withdrawal of such privileges;
- (i) the institution of Fellowships, Scholarships, Studentships, Exhibitions, Medals and Prizes; and
- (j) all other matters which by this Act are to be or may be provided for by the Statutes.

39. (1) The first Statutes shall be made by the State Government and a copy thereof shall be laid before the Himachal Pradesh Legislative Assembly.

Statutes
how to be
made.

(2) The Executive Council may, from time to time, make new or additional Statutes or may amend or repeal the Statutes in the manner hereinafter provided in this section:

Provided that the Executive Council shall not make any Statute or any amendment of a Statute affecting the status, powers or constitution of any existing authority of the University, until such authority has been given an opportunity of expressing an opinion on the proposal, and any opinion so expressed shall be in writing and shall be considered by the Executive Council.

(3) Every Statute or addition to the Statutes or any amendment or repeal of the Statutes shall require the approval of the Chancellor who may assent thereto or withhold assent or remit to the Executive Council for re-consideration.

(4) A new Statute or a Statute amending or repealing an existing Statute shall have no validity unless it has been assented to by the Chancellor.

40. (1) Subject to the provisions of this Act and the Statutes, the Ordinances may provide for all or any of the following matters, namely:—

Ordinances.

- (a) the admission of students, the courses of study and the fees therefor, the qualifications, pertaining to degrees, diplomas, certificates and other academic distinctions, the conditions for the grant of Fellowships, Scholarships, awards and the like;
- (b) the conduct of examinations, including the term of office and appointment of examiners, and the conditions of residence of students and their general discipline;
- (c) the management of colleges and institutions maintained by the University;
- (d) the giving of religious instruction;
- (e) the emoluments and the terms and conditions of service of the teachers of the University;
- (f) the supervision and inspection of colleges and other institutions, admitted to the privileges of the University;
- (g) any other matter which by this Act or the Statutes is to be or may be provided for by the Ordinances.

(2) The first Ordinances shall be made by the State Government and the Ordinances so made may be amended, repealed or added to at any time by the Executive Council in the manner prescribed by the Statutes.

Regulations.

41. (1) An authority of the University may make Regulations consistent with this Act, the Statutes and the Ordinances for—

- (a) laying down the procedure to be followed at its meetings and the number of members required to form quorum;
- (b) providing for all matters which by this Act, the Statutes, or the Ordinances are to be provided for by the Regulations; and
- (c) providing for any other matter solely concerning such authority and not provided for by this Act, the Statutes and the Ordinances.

(2) The Regulations made by any authority of the University shall provide for the giving of notice to its members of the dates of meetings and the business to be transacted thereat and for the keeping of record of the proceedings of such meetings.

(3) The Executive Council may direct any authority of the University, other than the Court, to cancel or amend, in such form as may be specified in the direction, any Regulation made by such authority and such authority shall cancel or amend the Regulation accordingly:

Provided that an authority of the University if dissatisfied with any such direction may appeal to the Chancellor who, after obtaining the views of the Executive Council, may pass such orders as he thinks fit.

Casual Vacancies.

42. All casual vacancies among the members (other than *ex-officio* members) of any authority or other body of the University shall be filled, as soon as conveniently may be, by the person or body who appointed or elected the member whose place has become vacant, and the person appointed or elected to a casual vacancy shall be a member of such authority or body for the residue of the term for which the person whose place he fills could have been a member.

Proceedings of the University authorities and bodies not invalidated by vacancies.

43. No act or proceedings of any authority or other body of the University shall be invalidated merely by reason of the existence of a vacancy or vacancies among its members.

Removal from Membership and withdrawal of degrees, diplomas, etc.

44. The Chancellor may, on the recommendation of not less than two-thirds of the members of the Executive Council, remove any person from the membership of any authority or body of the University who has been convicted of an offence which, in the opinion of the Executive Council, involves moral turpitude or who is guilty of scandalous conduct or has behaved in a manner unbecoming of a member of such authority or body, and may on any of the aforesaid grounds withdraw from any person, any degree, diploma or certificate conferred or granted by the University:

Provided that before taking any action under this section, the member or the person concerned shall be afforded reasonable opportunity of making a representation against the proposed action.

Disputes.

45. If any question arises whether any person has been duly appointed or elected as, or is entitled to be, a member of any authority or other body of the University, the matter shall be referred to the Chancellor whose decision thereon shall be final.

Transitional powers.

46. Notwithstanding anything contained in this Act, the first members of the Court, the Executive Council, the Academic Council and the Board of

Management shall be nominated by the Chancellor for a term of three years.

47. Notwithstanding anything contained in this Act or in the Statutes or Ordinances, any student of a college who immediately before the commencement of this Act was studying for a degree, diploma or certificate of the Panjab University, Chandigarh and the Panjab Agricultural University, Ludhiana, shall be permitted by the Himachal Pradesh University to complete his course for the degree, diploma or certificate and the Himachal Pradesh University or the College, as the case may be, shall provide for the instruction of such student in accordance with the prospectus of studies of the Panjab University, Chandigarh or the Panjab Agricultural University, Ludhiana, as the case may be, and he shall be admitted to the examination concerned of the Himachal Pradesh University.

Transitory provision.

48. If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order published in the 'Rajpatra, Himachal Pradesh', make such provisions, not inconsistent with the provisions of this Act as appear to it to be necessary for the purpose of removing the difficulty:

Removal of difficulties.

Provided that no such order shall be made after the expiry of two years from the commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

At present the Colleges of Himachal Pradesh are affiliated to Punjab University Chandigarh and there is an Agricultural College at Palampur which is part of the Punjab Agricultural University, Ludhiana. There is no University in Himachal Pradesh. To disseminate advance learning, knowledge, wisdom and understanding by teaching and research, to provide the right kind of leadership in all walks of life, to promote in the students and teachers and awareness and understanding of the social needs of the country, for study and development of language, arts and culture of India, to make provision for the education of rural people of Himachal Pradesh in different branches of study particularly agriculture, horticulture, rural industry and business, and other allied subjects/sciences, it appears necessary that a multifaculty University with emphasis on agricultural and allied sciences is established and incorporated in Himachal Pradesh. With the establishment of the Himachal University, the needs of the Pradesh will be fulfilled. This Bill seeks to achieve the aforesaid objectives.

SIMLA:
The 2nd April, 1970.

RAM LAL,
Education Minister.

FINANCIAL MEMORANDUM

Clause 3(1) of the Bill provides for the establishment of a new Multifaculty University with emphasis on agriculture and allied sciences in Himachal Pradesh. The proposal to establish the University will involve additional recurring expenditure to the tune of Rs. 37.36 lacs in the year, 1970-71. This expenditure will be met from the Consolidated Fund of Himachal Pradesh by way of grant-in-aid to the University.

MEMORANDUM ON DELEGATED LEGISLATION

Clause 39 of the Bill provides that the first Statutes shall be made by the State Government, and the Executive Council, from time to time, make new or additional Statutes or may amend the Statutes in the manner prescribed in the clause. Clause 40 provides that the first Ordinances shall be made by the State Government and the Ordinances so made may be amended, repealed or added to any time by the Executive Council in the manner prescribed by the Statutes. Clause 41 provides for an authority of the University to make Regulations. Clause 48 provides for the State Government to issue orders for removal of difficulties.

RECOMMENDATIONS OF THE ADMINISTRATOR UNDER SECTION 23 OF THE GOVERNMENT OF UNION TERRITORIES ACT, 1963

(Education Department File No. 4-6/69-Sect. Edu. 1)

The Administrator (Lieutenant Governor) having been informed of the subject-matter of the Himachal Pradesh University Bill, 1970, recommends under section 23 of the Government of Union Territories Act, 1963, the introduction and consideration by the Legislative Assembly of the Bill.

प्रबन्धक, हिमाचल प्रदेश शासन मुद्रणालय, शिमला-३ द्वारा मुद्रित तथा प्रकाशित ।